



Rep. Lou Lang

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LRB094 16772 WGH 58683 a

1 AMENDMENT TO SENATE BILL 2399

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2399 by replacing  
3 everything after the enacting clause with the following:

4 "ARTICLE 1.

5 Section 1-1. Short title. This Article 1 may be cited as  
6 the Apprenticeship Program and Public Works Reporting Act, and  
7 references in this Article to "this Act" mean this Article.

8 Section 1-5. Definitions. As used in this Act:

9 "Apprenticeship program" means an apprenticeship program  
10 approved by the U.S. Department of Labor.

11 "Public works" has the meaning ascribed to that term in the  
12 Prevailing Wage Act.

13 Section 1-10. Apprenticeship program reports.

14 (a) For each apprenticeship program operating in this  
15 State, the entity operating the apprenticeship program must  
16 file annual reports with the Department of Commerce and  
17 Economic Opportunity covering each calendar year. Each report  
18 shall include:

19 (1) The number of persons applying to the program in  
20 each of the following categories of race or ethnicity:  
21 white, black or African American, Hispanic or Latino  
22 ethnicity, Asian American, and Native American.

1           (2) The number of persons participating in the program  
2           in each of the following categories of race or ethnicity:  
3           white, black or African American, Hispanic or Latino  
4           ethnicity, Asian American, and Native American.

5           (3) The number of persons completing the program in  
6           each of the following categories of race or ethnicity:  
7           white, black or African American, Hispanic or Latino  
8           ethnicity, Asian American, and Native American.

9           (4) The number of persons of each gender applying to  
10          the program.

11          (5) The number of persons of each gender participating  
12          in the program.

13          (6) The number of persons of each gender completing the  
14          program.

15          (b) Nothing in this Section shall be construed to compel an  
16          individual to provide information regarding race, ethnicity,  
17          or gender or compel an entity operating the apprenticeship  
18          program to report regarding race, ethnicity, or gender if that  
19          information is not provided by the individual applying to or  
20          participating in an apprenticeship program.

21          (c) An entity that knowingly fails to file a report or  
22          knowingly files an inaccurate or incomplete report commits a  
23          business offense for which a fine of not more than \$5,000 may  
24          be imposed. In addition, if 14 days have elapsed since a report  
25          filing deadline of the Department of Commerce and Economic  
26          Opportunity, each subsequent day during which an entity  
27          knowingly fails to file a report constitutes a separate  
28          violation.

29          (d) The Department of Commerce and Economic Opportunity  
30          shall adopt rules concerning the format and contents of reports  
31          and the time and procedure for filing reports under this  
32          Section.

33          Section 1-15. Public works contractor reports.

1           (a) Each contractor to whom a contract for a public works  
2 project for a State agency has been awarded and each  
3 subcontractor performing work on the project must file annual  
4 reports with the Department of Commerce and Economic  
5 Opportunity covering each calendar year during which work is  
6 performed under the contract. Each report shall include the  
7 following information for each job classification:

8           (1) The number of persons applying to perform work on  
9 the project in each of the following categories of race or  
10 ethnicity: white, black or African American, Hispanic or  
11 Latino ethnicity, Asian American, and Native American.

12           (2) The number of persons performing work on the  
13 project in each of the following categories of race or  
14 ethnicity: white, black or African American, Hispanic or  
15 Latino ethnicity, Asian American, and Native American.

16           (3) The number of persons of each gender applying to  
17 perform work on the project.

18           (4) The number of persons of each gender performing  
19 work on the project.

20           (b) Nothing in this Section shall be construed to compel an  
21 individual to provide information regarding race, ethnicity,  
22 or gender or compel a contractor or subcontractor to report  
23 regarding race, ethnicity, or gender if that information is not  
24 provided by an individual applying to perform work on a project  
25 or performing work on a project.

26           (c) A contractor or subcontractor that knowingly fails to  
27 file a report or knowingly files an inaccurate or incomplete  
28 report commits a business offense for which a fine of not more  
29 than \$5,000 may be imposed. In addition, if 14 days have  
30 elapsed since a report filing deadline of the Department of  
31 Commerce and Economic Opportunity, each subsequent day during  
32 which a contractor or subcontractor knowingly fails to file a  
33 report constitutes a separate violation.

34           (d) The Department of Commerce and Economic Opportunity

1 shall adopt rules concerning the format and contents of reports  
2 and the time and procedure for filing reports under this  
3 Section.

4 Section 1-20. Reports by the Department of Commerce and  
5 Economic Opportunity. The Department of Commerce and Economic  
6 Opportunity shall file a report each calendar quarter with the  
7 Governor and the General Assembly incorporating the  
8 information filed with the Department of Commerce and Economic  
9 Opportunity under Sections 1-10, 1-15, 1-25, and 1-30. The  
10 information in each report shall be further broken down by the  
11 5 regions of the State, as those regions are defined by the  
12 Department of Commerce and Economic Opportunity. Each report  
13 shall also compare the reported racial, ethnic, and gender data  
14 for each region with the racial, ethnic, and gender  
15 characteristics of the general workforce for each region.

16 Section 1-25. Reports by the Department of Transportation.  
17 The Department of Transportation shall file a report each  
18 calendar quarter with the Department of Commerce and Economic  
19 Opportunity setting forth the following information for each  
20 contract entered into by the Department of Transportation for a  
21 public works project under which work was performed during the  
22 quarterly reporting period:

23 (1) The name of the project.

24 (2) For each trade or occupation, the number of persons  
25 performing work on the project during the quarterly  
26 reporting period in each of the following categories of  
27 race or ethnicity: white, black or African American,  
28 Hispanic or Latino ethnicity, Asian American, and Native  
29 American.

30 (3) For each trade or occupation, the number of persons  
31 of each gender performing work on the project during the  
32 quarterly reporting period.



1 Section 5-5. Definitions. As used in this Act:

2 "Construction" means building, altering, repairing,  
3 improving, or demolishing any structure or building or making  
4 improvements of any kind to real property.

5 "Contractor" means any person or entity who is engaged in  
6 construction as defined in this Act. "Contractor" includes a  
7 general contractor and a subcontractor, but does not include a  
8 person or entity who furnishes only materials or supplies.

9 "Department" means the Department of Labor.

10 "Director" means the Director of Labor.

11 "Employer" means any contractor that employs individuals  
12 deemed employees under Section 5-10 of this Act; however,  
13 "employer" does not include (i) the State of Illinois or its  
14 officers, agencies, or political subdivisions or (ii) the  
15 federal government.

16 "Entity" means any contractor or subcontractor for which a  
17 person is performing any service and is not classified as an  
18 employee under Section 5-10 of this Act; however, "entity" does  
19 not include (i) the State of Illinois or its officers,  
20 agencies, or political subdivisions or (ii) the federal  
21 government.

22 Section 5-10. Applicability; status of individuals  
23 performing service. For the purposes of this Act, an individual  
24 performing any service for a contractor or subcontractor is  
25 deemed to be an employee unless it is shown that:

26 (1) the individual has been and will continue to be  
27 free from control or direction over the performance of the  
28 service, both under his or her contract of service and in  
29 fact;

30 (2) the service is either outside the usual course of  
31 the business for which the service is performed or the  
32 service is performed outside of all the places of business  
33 of the enterprise for which the service is performed; and

1           (3) the individual is engaged in an independently  
2           established trade, occupation, profession, or business.  
3        Provided, however, that this shall not impair the ability of a  
4        contractor to subcontract with a subcontractor provided the  
5        subcontractor satisfies the provisions of this Section, nor  
6        impair the ability of a subcontractor to subcontract with a  
7        lower tier subcontractor provided the lower tier subcontractor  
8        satisfies the provisions of this Section.

9           Section 5-15. Notice.

10          (a) The Department shall post a summary of the requirements  
11        of this Act in English, Spanish, and Polish on its web site and  
12        on bulletin boards in each of its offices.

13          (b) An employer or entity for whom one or more persons  
14        classified as independent contractors are performing service  
15        shall post and keep posted, in conspicuous places on each job  
16        site where those persons work and in each of its offices, a  
17        notice in English, Spanish, and Polish, prepared by the  
18        Department, summarizing the requirements of this Act. The  
19        Department shall furnish copies of summaries to employers and  
20        entities upon request without charge.

21          Section 5-20. Failure to properly designate or classify  
22        persons performing services as employees.

23          (a) Except as provided in subsection (b), it is a violation  
24        of this Act for an employer or entity not to designate an  
25        individual as an employee under Section 5-10 of this Act unless  
26        the employer or entity satisfies the provisions of Section  
27        5-10.

28          (b) A general contractor shall not be liable under this Act  
29        for any subcontractor's failure to properly designate or  
30        classify persons performing services as employees, nor shall a  
31        subcontractor be liable for any lower tier subcontractor's  
32        failure to properly designate or classify persons performing

1 services as employees.

2 (c) Nothing in this Act shall be deemed to apply to any  
3 action arising out of personal injury or tort.

4 Section 5-25. Enforcement. It shall be the duty of the  
5 Department to enforce the provisions of this Act. The  
6 Department shall have the power to conduct investigations in  
7 connection with the administration and enforcement of this Act  
8 and any investigator with the Department shall be authorized to  
9 visit and inspect, at all reasonable times, any places covered  
10 by this Act and shall be authorized to inspect, at all  
11 reasonable times, documents related to the determination of  
12 whether a person is an employee under Section 5-10 of this Act.  
13 The Director of Labor or his or her representative may compel,  
14 by subpoena, the attendance and testimony of witnesses and the  
15 production of books, payrolls, records, papers, and other  
16 evidence in any investigation or hearing and may administer  
17 oaths to witnesses.

18 Section 5-27. Order for violation and public hearing.  
19 Whenever the Department believes upon investigation that there  
20 has been a violation of any of the provisions of this Act or  
21 any rules or regulations promulgated under this Act, the  
22 Department may: (i) issue and cause to be served on any party  
23 an order to cease and desist from further violation of this  
24 Act; (ii) take affirmative or other action as deemed reasonable  
25 to eliminate the effect of the violation; and (iii) assess any  
26 civil penalty allowed by this Act. The civil penalties assessed  
27 by the Department shall be recoverable in an action brought in  
28 the name of the People of the State of Illinois by the Attorney  
29 General. In any order issued to an offending party under this  
30 Act, the Department shall include a summary of its findings,  
31 which give evidence of the violation. Any party affected by an  
32 order of the Department shall have the right to a hearing

1 before the Department; however, a written request for such  
2 hearing shall be served on the Department within 10 days of  
3 notice of such order. In the absence of the receipt of a  
4 request for hearing, the affected party shall be deemed to have  
5 waived its right to a hearing and the Department's order shall  
6 become a final administrative decision.

7 Section 5-30. Review under Administrative Review Law. Any  
8 party to a proceeding under this Act may apply for and obtain  
9 judicial review of an order of the Department entered under  
10 this Act in accordance with the provisions of the  
11 Administrative Review Law, and the Department in proceedings  
12 under the Act may obtain an order from the court for the  
13 enforcement of its order.

14 Section 5-35. Contempt. Whenever it appears that any  
15 employer or entity has violated a valid order of the Department  
16 issued under this Act, the Director of Labor may commence an  
17 action and obtain from the court an order commanding the  
18 employer or entity to obey the order of the Department or be  
19 adjudged guilty of contempt of court and punished accordingly.

20 Section 5-40. Penalties. An employer or entity that  
21 violates any of the provisions of this Act or any rule adopted  
22 under this Act shall be subject to a civil penalty not to  
23 exceed \$1,500 for each violation found in the first audit by  
24 the Department. Following a first audit, an employer or entity  
25 shall be subject to a civil penalty not to exceed \$2,500 for  
26 each repeat violation found by the Department within 5 years.  
27 For purposes of this Section, each violation of this Act for  
28 each person and for each day the violation continues shall  
29 constitute a separate and distinct violation. In determining  
30 the amount of a penalty, the Director shall consider the  
31 appropriateness of the penalty to the employer or entity

1 charged, upon the determination of the gravity of the  
2 violations. The amount of the penalty, when finally determined,  
3 may be recovered in a civil action filed in any circuit court  
4 by the Director of Labor, or a person aggrieved by a violation  
5 of this Act or any rule adopted under this Act. In any civil  
6 action brought by an aggrieved person pursuant to this Section,  
7 the circuit court shall award the aggrieved person 10% of the  
8 amount recovered. In such case the remaining amount recovered  
9 shall be submitted to the Director of Labor. Any uncollected  
10 amount shall be subject to the provisions of the Illinois State  
11 Collection Act of 1986.

12 Section 5-42. Debarments. For any second or subsequent  
13 violation determined by the Department which is within 5 years  
14 of an earlier violation, the Department shall add the employer  
15 or entity's name to a list to be posted on the Department's  
16 website. Upon such notice, the Department shall notify the  
17 violating employer or entity. No State contract shall be  
18 awarded to an employer or entity appearing on the list until 4  
19 years have elapsed from the date of the last violation.

20 Section 5-45. Willful violations.

21 (a) Whoever willfully violates any of the provisions of  
22 this Act or any rule adopted under this Act or whoever  
23 obstructs the Director of Labor, or his or her representatives,  
24 or any other person authorized to inspect places of employment  
25 under this Act shall be liable for penalties up to double the  
26 statutory amount.

27 (b) Whoever willfully violates any of the provisions of  
28 this Act or any rule adopted under this Act shall be liable to  
29 the employee for punitive damages in an amount equal to the  
30 penalties assessed in subsection (a) of this Section.

31 (c) The penalty shall be imposed in cases in which an  
32 employer or entity's conduct is proven by a preponderance of

1 the evidence to be willful. The penalty may be recovered in a  
2 civil action brought by the Director of Labor in any circuit  
3 court. In any such action, the Director of Labor shall be  
4 represented by the Attorney General. Any uncollected amount  
5 shall be subject to the provisions of the Illinois State  
6 Collection Act of 1986.

7 Section 5-50. Employee Classification Fund. All moneys  
8 received by the Department as civil penalties under this Act  
9 shall be deposited into the Employee Classification Fund and  
10 shall be used, subject to appropriation by the General  
11 Assembly, by the Department for administration, investigation,  
12 and other expenses incurred in carrying out its powers and  
13 duties under this Act. The Department shall hire as many  
14 investigators and other personnel as may be necessary to carry  
15 out the purposes of this Act. Any moneys in the Fund at the end  
16 of a fiscal year in excess of those moneys necessary for the  
17 Department to carry out its powers and duties under this Act  
18 shall be available to the Department for the next fiscal year  
19 for any of the Department's duties.

20 Section 5-55. Retaliation.

21 (a) It is a violation of this Act for an employer or  
22 entity, or any agent of an employer or entity, to retaliate  
23 through discharge or in any other manner against any person for  
24 exercising any rights granted under this Act. Such retaliation  
25 shall subject an employer or entity to civil penalties pursuant  
26 to this Act or a private cause of action.

27 (b) It is a violation of this Act for an employer or entity  
28 to retaliate against a person for:

29 (1) making a complaint to an employer or entity, to a  
30 co-worker, to a community organization, before a public  
31 hearing, or to a State or federal agency that rights  
32 guaranteed under this Act have been violated;

1           (2) causing to be instituted any proceeding under or  
2 related to this Act; or

3           (3) testifying or preparing to testify in an  
4 investigation or proceeding under this Act.

5           Section 5-60. Private right of action.

6           (a) A person aggrieved by a violation of this Act or any  
7 rule adopted under this Act by an employer or entity may file  
8 suit in circuit court, in the county where the alleged offense  
9 occurred or where any person who is party to the action  
10 resides, without regard to exhaustion of any alternative  
11 administrative remedies provided in this Act. Actions may be  
12 brought by one or more persons for and on behalf of themselves  
13 and other persons similarly situated. A person whose rights  
14 have been violated under this Act by an employer or entity is  
15 entitled to collect:

16           (1) the amount of any wages, salary, employment  
17 benefits, or other compensation denied or lost to the  
18 person by reason of the violation, plus an equal amount in  
19 liquidated damages;

20           (2) compensatory damages and an amount up to \$500 for  
21 each violation of this Act or any rule adopted under this  
22 Act;

23           (3) in the case of unlawful retaliation, all legal or  
24 equitable relief as may be appropriate; and

25           (4) attorney's fees and costs.

26           (b) The right of an aggrieved person to bring an action  
27 under this Section terminates upon the passing of 3 years from  
28 the final date of service to the employer or entity. This  
29 limitations period is tolled if an employer or entity has  
30 deterred a person's exercise of rights under this Act by  
31 contacting or threatening to contact law enforcement agencies.

32           Section 5-65. Rulemaking. The Department may adopt

1 reasonable rules to implement and administer this Act. For  
2 purposes of this Act, the General Assembly finds that the  
3 adoption of rules to implement this Act is deemed an emergency  
4 and necessary for the public interest and welfare.

5 Section 5-70. No waivers.

6 (a) There shall be no waiver of any provision of this Act.

7 (b) It is a Class C misdemeanor for an employer to attempt  
8 to induce any individual to waive any provision of this Act.

9 Section 5-75. Cooperation. The Department of Labor, the  
10 Department of Employment Security, the Department of Revenue,  
11 the Office of the State Comptroller, and the Illinois Workers'  
12 Compensation Commission shall cooperate under this Act by  
13 sharing information concerning any suspected misclassification  
14 by an employer of one or more of its employees as independent  
15 contractors. Upon determining that an employer or entity has  
16 misclassified employees as independent contractors in  
17 violation of this Act, the Department of Labor shall notify the  
18 Department of Employment Security, the Department of Revenue,  
19 the Office of the State Comptroller, and the Illinois Workers'  
20 Compensation Commission who shall be obliged to check such  
21 employer or entity's compliance with their laws, utilizing  
22 their own definitions, standards, and procedures.

23 Section 5-80. Effect of final decision. Any final  
24 administrative decision made pursuant to this Act is for the  
25 purpose of enforcing this Act and is not admissible or binding  
26 against a party in any other proceeding.

27 Section 5-900. The State Comptroller Act is amended by  
28 adding Section 9.06 as follows:

29 (15 ILCS 405/9.06 new)

1       Sec. 9.06. Misclassification of employees as independent  
2 contractors. The Department of Labor, the Department of  
3 Employment Security, the Department of Revenue, the Office of  
4 the State Comptroller, and the Illinois Workers' Compensation  
5 Commission shall cooperate under the Employee Classification  
6 Act by sharing information concerning any suspected  
7 misclassification by an employer or entity, as defined in the  
8 Employee Classification Act, of one or more employees as  
9 independent contractors.

10       Section 5-901. The Department of Employment Security Law of  
11 the Civil Administrative Code of Illinois is amended by adding  
12 Section 1005-160 as follows:

13       (20 ILCS 1005/1005-160 new)

14       Sec. 1005-160. Misclassification of employees as  
15 independent contractors. The Department of Labor, the  
16 Department of Employment Security, the Department of Revenue,  
17 the Office of the State Comptroller, and the Illinois Workers'  
18 Compensation Commission shall cooperate under the Employee  
19 Classification Act by sharing information concerning any  
20 suspected misclassification by an employer or entity, as  
21 defined in the Employee Classification Act, of one or more  
22 employees as independent contractors.

23       Section 5-905. The Department of Labor Law of the Civil  
24 Administrative Code of Illinois is amended by adding Section  
25 1505-125 as follows:

26       (20 ILCS 1505/1505-125 new)

27       Sec. 1505-125. Misclassification of employees as  
28 independent contractors. The Department of Labor, the  
29 Department of Employment Security, the Department of Revenue,  
30 the Office of the State Comptroller, and the Illinois Workers'

1 Compensation Commission shall cooperate under the Employee  
2 Classification Act by sharing information concerning any  
3 suspected misclassification by an employer or entity, as  
4 defined in the Employee Classification Act, of one or more  
5 employees as independent contractors.

6 Section 5-910. The Department of Revenue Law of the Civil  
7 Administrative Code of Illinois is amended by adding Section  
8 2505-750 as follows:

9 (20 ILCS 2505/2505-750 new)

10 Sec. 2505-750. Misclassification of employees as  
11 independent contractors. The Department of Labor, the  
12 Department of Employment Security, the Department of Revenue,  
13 the Office of the State Comptroller, and the Illinois Workers'  
14 Compensation Commission shall cooperate under the Employee  
15 Classification Act by sharing information concerning any  
16 suspected misclassification by an employer or entity, as  
17 defined in the Employee Classification Act, of one or more  
18 employees as independent contractors.

19 Section 5-915. The State Finance Act is amended by adding  
20 Section 5.663 as follows:

21 (30 ILCS 105/5.663 new)

22 Sec. 5.663. The Employee Classification Fund.

23 Section 5-920. The Illinois Procurement Code is amended by  
24 changing Section 50-70 as follows:

25 (30 ILCS 500/50-70)

26 Sec. 50-70. Additional provisions. This Code is subject to  
27 applicable provisions of the following Acts:

28 (1) Article 33E of the Criminal Code of 1961;

- 1 (2) the Illinois Human Rights Act;
- 2 (3) the Discriminatory Club Act;
- 3 (4) the Illinois Governmental Ethics Act;
- 4 (5) the State Prompt Payment Act;
- 5 (6) the Public Officer Prohibited Activities Act; ~~and~~
- 6 (7) the Drug Free Workplace Act; and
- 7 (8) the Employee Classification Act.

8 (Source: P.A. 90-572, eff. 2-6-98.)

9 Section 5-925. The Workers' Compensation Act is amended by  
10 adding Section 26.1 as follows:

11 (820 ILCS 305/26.1 new)

12 Sec. 26.1. Misclassification of employees as independent  
 13 contractors. The Department of Labor, the Department of  
 14 Employment Security, the Department of Revenue, the Office of  
 15 the State Comptroller, and the Illinois Workers' Compensation  
 16 Commission shall cooperate under the Employee Classification  
 17 Act by sharing information concerning any suspected  
 18 misclassification by an employer or entity, as defined in the  
 19 Employee Classification Act, of one or more employees as  
 20 independent contractors.

21 ARTICLE 10.

22 Section 10-5. The Prevailing Wage Act is amended by  
23 changing Section 5 as follows:

24 (820 ILCS 130/5) (from Ch. 48, par. 39s-5)

25 Sec. 5. Certified payroll.

26 (a) While participating on public works, the contractor and  
27 each subcontractor shall:

- 28 (1) make and keep, for a period of not less than 3
- 29 years, records of all laborers, mechanics, and other

1 workers employed by them on the project; the records shall  
2 include each worker's name, address, telephone number when  
3 available, social security number, classification or  
4 classifications, the hourly wages paid in each pay period,  
5 the number of hours worked each day, and the starting and  
6 ending times of work each day; and

7 (2) submit monthly, in person, by mail, or  
8 electronically a certified payroll to the public body in  
9 charge of the project. The certified payroll shall consist  
10 of a complete copy of the records identified in paragraph  
11 (1) of this subsection (a), but may exclude the starting  
12 and ending times of work each day. The certified payroll

13 shall be accompanied by a statement signed by the  
14 contractor or subcontractor which avers that: (i) such  
15 records are true and accurate; (ii) the hourly rate paid to  
16 each worker is not less than the general prevailing rate of  
17 hourly wages required by this Act; and (iii) the contractor  
18 or subcontractor is aware that filing a certified payroll  
19 that he or she knows to be false is a Class B misdemeanor.  
20 A general contractor is not prohibited from relying on the  
21 certification of a lower tier subcontractor, provided the  
22 general contractor does not knowingly rely upon a  
23 subcontractor's false certification. Any contractor or  
24 subcontractor subject to this Act who fails to submit a  
25 certified payroll or knowingly files a false certified  
26 payroll is in violation of this Act and guilty of a Class B  
27 misdemeanor. The public body in charge of the project shall  
28 keep the records submitted in accordance with this  
29 paragraph (2) of subsection (a) for a period of not less  
30 than 3 years. The records submitted in accordance with this  
31 paragraph (2) of subsection (a) shall be considered public  
32 records, except an employee's address, telephone number,  
33 and social security number, and made available in  
34 accordance with the Freedom of Information Act. The public

1 body shall accept any reasonable submissions by the  
2 contractor that meet the requirements of this Section.

3 (b) Upon 7 ~~2~~ business days' notice, the contractor and each  
4 subcontractor shall make available for inspection the records  
5 identified in paragraph (1) of subsection (a) of this Section  
6 to the public body in charge of the project, its officers and  
7 agents, and to the Director of Labor and his deputies and  
8 agents. Upon 7 ~~2~~ business days' notice, the contractor and each  
9 subcontractor shall make such records available at all  
10 reasonable hours at a location within this State.

11 (Source: P.A. 93-38, eff. 6-1-04; 94-515, eff. 8-10-05.)

12 ARTICLE 99.

13 Section 99-97. Severability. The provisions of this Act are  
14 severable under Section 1.31 of the Statute on Statutes.

15 Section 99-99. Effective date. This Act takes effect upon  
16 becoming law."